



Co-Chairs

Val Francis
Richard Snyder

Board

Thomas Allen
Shirley Bandy
Lee Blackburn
Gene Brushhart
Edwin Charle
Andrew Feight
Bobby Graff
Franklin Halstead
Sharon Manson
Stephen Martin
Thomas Martin
Daniel Minter
Larry Parker
Michael Payton
Cristy Renner
Terri Ann Smith
Billy Spencer
Lornita Swain

*Deputy Designated
Federal Official*

Dave Kozlowski,
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*Support provided by
EHI Consultants*

FULL BOARD MEETING MINUTES- February 4, 2009

Location: The Ohio State University South Centers Auditorium in Piketon, Ohio

Site Specific Advisory Board (SSAB) Members Present: Shirley Bandy, Lee Blackburn, Gene Brushhart, Ed Charle, Andrew Feight, Val Francis, Frank Halstead, Sharon Manson, Dan Minter, Larry Parker, Michael Payton, Christy Boggs-Renner, Terry Ann Smith, Dick Snyder, Billy Spencer and Lorry Swain

SSAB Board Members Absent: Thomas Allen and Steve Martin

Board Liaisons and Related Regulatory Agency Employees: Craig Butler, Ken Dewey, Maria Galanti, Melody Stewart and Stephen Wells, Ohio Environmental Protection Agency (OEPA); Mike Rubadue and Tim Walker, Ohio Department of Health.

Deputy Designated Federal Official (DDFO): David Kozlowski

Federal Coordinator: Greg Simonton

U.S. Department of Energy (DOE) Employees: Jud Lilly, Bill Murphie, and Ted Theopolos

DOE Contractors: Sandy Childers, LATA/Parallax; Julie Galloway, EHI; Rex Norton, Fluor; Jack Rest, Energy Solutions; Eric Roberts, EHI; Jim Thompson, CDM; Kate Timmons, EHI

Public: Kathleen Boutis, Vina Colley, Joni Fearing, Luke Francis, Tressie Hall, Melissa Huber, David Manuta, Eric O'Neil, Frank Renner, Geoffrey Sea and Brad Sherman

Call to Order

Snyder called the meeting to order. **King** stated that if anyone would like to speak during the public comment section to please indicate so on the sign in sheet. Introductions were conducted.

Approval of Agenda

King asked for modifications to the proposed agenda. **Swain** suggested that the board postpone approval of the January minutes until the next meeting to allow board review. **Snyder** stated that most of the verbiage in the minutes was public comments and suggested that the board scan the minutes and approve. **Feight** motioned to postpone approval of the January minutes to the March meeting. **Blackburn** seconded the motion. **Motion Passed.**

- **January minutes will be voted on at Full Board Meeting on March 5th.**

DDFO Comments

Kozlowski presented the Board with a presentation entitled: *DDFO Presentation February 2009*. The update included the following information:

- X-326 Extraction Well Installation Project
- Status of X-740 Groundwater Plume Area
- X-740 Groundwater Plume Area January 2009 Baseline, Post Phase I, II and III Groundwater Results
- X-749 /X-120 Optimization Project
- X-344C Deferred Unit Investigation
- 7-Unit Groundwater Plume Investigation
- X-770 Concrete Pad Removal/ Investigation Status January 2009
- Small Cylinders Phase II Project
- Clean out of DMSAs 11 & 12 in X-326 Building
- X-345 Building Cleanout

A copy of the above-stated presentation can be viewed on the SSAB website at www.ports-ssab.org. There were no questions or comments.

Federal Coordinator Comments

Simonton deferred to the DDFO comments.

Liaisons Comments

Dewey introduced three OEPA representatives. Wells, Division of Surface Water, Stewart, Division of Hazardous Waste Management and Butler, Chief of the Southeast District Office. These three representatives will be involved with the committees and helping the DOE through OEPA efforts. He encouraged the Board to take the opportunity after this meeting to introduce themselves and get to know these individuals because they will be very important contributors to this group over time. **Rubadue** had no comments. **Galanti** stated that if anyone has any comments about any of the projects or about the plumes including comments being sent to DOE to contact her anytime.

Administrative Issues

Committee Updates

• **Waste Disposition Committee**

Swain said the committee will rotate individuals to report to the full board until a chair is elected. The committee is attempting to understand which materials at the site are to be managed as waste and where the materials will be going, as well as the treatment that will be performed and the packing of materials for transportation. At each meeting, the committee is briefed on all projects by the individuals that work on the site in waste management. Swain mentioned that **Rafferty** presented a briefing on the Highly Enriched Uranium that has been mixed with filter ash and oil leak gunk. Rafferty has been working on the project for twelve years and there is an enormous value in Highly Enriched Uranium. The idea was for the labs and services to recover that but it has just been determined that can't be done so it is coming back to PORTS and will be considered waste eventually to be shipped to Nevada Test Site. This committee is small but has various backgrounds making for lots of questions. The presenters have been very patient and forthcoming when asked for information. Detailed minutes of all the meetings are available to the public. She encouraged community members to attend the committee meetings.

- **Future Land Use Committee**

Feight presented a recommendation for the first reading to the Board to not support the Spent Nuclear Fuel (SNF) interim storage site. (See Attachment 2 for Draft Recommendation). Interim SNF storage is a temporary storage with an indefinite time frame. The recommendation does not and does not include feed-stock storage for processing. The committee does not want interim SNF storage to come to Piketon. Smith believed the consensus in Congress was to keep the wastes at the sites until a permanent storage is established and asked if other groups were trying to stop this type of legislation. **Feight** said the board can only make recommendations to Environmental Management (EM) and this is the avenue to do that. This has been the first time the community has been able to voice opposition to putting this type of storage on this site. **Murphie** suggested wording that links the recommendation to the EM program and avoid solely mentioning the area of SNF such as, "The EM program and Department shall consider future land use considerations as it relates particularly with regard to the cleanup program and that it will not include the alternative of storing spent nuclear fuel." This minor change of wording keeps the recommendation in the scope of EM. Further comments and questions can be directed to Roberts. The Board will vote on the recommendation at the March Board meeting. The issue of the 340-acre land transfer and the DOE's Energy Park initiative will be discussed at the next committee meeting.

- **Environmental Restoration Committee**

Renner stated that the committee has been discussing seven projects: X-770 tag removal, X-701B oxidant injection, 7-Unit investigation, X-344C, 740 groundwater, 5-unit extraction well, and the X-345 Building strip out. The DOE explained that they are looking for new technologies to assist in the site remediation. A 3-D visualization chart for the plumes is being developed for a future presentation. One of the plumes that have been investigated has shrunk as of December 2008 testing.

- **Decontamination and Decommissioning (D&D) Committee**

Minter began by covering the topics that have been discussed in the committee minutes such as the stimulus package, project sheets and presentations given at the meetings. He suggested that committee agendas be included in future board packets. **Blackburn** added that **Swain** requested that the committee draft a recommendation for accelerated D&D and remediation of the site. **Minter** made a motion to present the recommendation for accelerated D&D and cleanup of the site at the March Board meeting. Motion was seconded. **Motion Passed.**

- ***Minter will draft the recommendation and suggested that the core of the recommendation start from Recommendation 09-01.***

Feight requested that Roberts research other sites for accelerated cleanup recommendations. **Roberts** said there is limited documentation from other boards on accelerated cleanup. **Feight** made a motion for this recommendation to be taken up by the D&D committee at their next meeting. **Minter** seconded. **Swain** stated that the committee voted unanimously to recommend that DOE should accelerate D&D remediation and funding. **Feight** stated that if the committee did vote on this recommendation, he would like to withdraw his amended motion. **Swain** stated that the D&D Committee recommends that the full SSAB recommend to the DOE accelerated D&D and remediation of the Portsmouth site and the funding to make that happen. A motion was made to accept this motion. **Minter** seconded. **Motion passed.**

- ***D&D Committee recommends that the full SSAB recommend to the DOE accelerated D&D and remediation of the Portsmouth site and the funding to make that happen.***

Snyder stated that the committees have decided to hold their meetings one week prior to the board meeting. **Snyder** made a motion to require all committees to meet one week prior to the board meeting. **Brushart** seconded the motion. **Simonton** suggested that the committees meet the week after the board meeting to allow time to review recommendations, receive comments and finalize the recommendations for presentation at the board meeting. The motion was amended by **Feight** to read committees will meet the week after the full board meetings beginning in March. **Francis** seconded the motion. **Motion passed.**

- ***Committees will meet the week after the full board meetings beginning in March.***

Blackburn made the motion that on Monday, March 9 the Waste Disposition Committee meet at 4:30; the D&D Committee meets at 5:30; on Tuesday, March 10 the Future Land Use Committee meet at 4:00 and the Environmental Restoration Committee meet at 5:30. **Francis** seconded the motion. **Bandy** inquired if the February meetings would still take place. **Snyder** stated that the scheduled meetings for February would meet as planned. **Motion passed.**

- **Committees will meet 03/09 beginning at 4:30 with WD, and 5:30 D&D, on 03/10 beginning at 4:00 FLU and 5:30 ER.**

Parker inquired how many committees a board member can serve. **Snyder** stated that it is his understanding that board members can serve on as many committees as they want. **Swain** stated that according to the board bylaws, any member of the community can serve on the committees. **Feight** made a motion that Parker now be a member of the Future Land Use Committee. **Blackburn** seconded the motion. **Motion passed.**

- **Larry Parker will now be a member of the Future Land Use Committee.**

Issues and Accomplishments

Francis and Snyder will be attending the EM SSAB Chairs Meeting in Savannah River in March and would be presenting the board's top three issues and accomplishment. The issues that the committees established are as follows:

1. Accelerated cleanup, groundwater cleanup and maximizing opportunities for job creation
2. Establishing community trust in SSAB
3. Determine if there are any significant historical issues for PORTS that must be addressed
4. Investigate all ramifications for the transfer of the 340-acre tract to Southern Ohio Diversification Initiative (SODI)
5. Educating the Board on the complexities of the Piketon Site

Halstead recommended that the board consider the request for the community investment provisions in the Portsmouth D&D similar to other sites are added to the list. It was believed that it should be listed under the accomplishments, but Halstead felt that it should be an issue because it is not required in the Request for Proposal (RFP). **Halstead** made a motion to add, "request for the community investment provisions in the Portsmouth D&D" be added as an issue. **Francis** seconded the motion. **Swain** inquired if this recommended addition is covered in the first issue. The board felt that the issues should be accomplishable by the DOE, not internal issues such as establishing community trust and board education. **Motion Passed.**

- **Add "request for the community investment provisions in the Portsmouth D&D" as an issue.**

Blackburn made the motion to accept the top three issues. **Feight** seconded the motion. **Motion Passed.**

- The agreed upon top three issues are as follows:
 - Accelerated cleanup, groundwater cleanup and maximizing opportunities for job creation
 - The revision of the RFP for the D&D of the Portsmouth Site and include the Recommendation 09-01 of the SSAB on Community Investment Provisions
 - Determine if there are a significant historical issues for Portsmouth that must be addressed
- Accomplishments
 - The Board is operational, has elected co-chairs, developed operating procedures and established four functional committees
 - Bringing together a varied group of individuals and attempting to find common ground

Swain motioned to take the first accomplishment to the chairs meeting. The motion was seconded. **Motion passed.**

- **First accomplishment will be taken to the chairs meeting.**

EM-1 Letter

King directed the Board's attention to a draft letter to send to the new Assistant Secretary of EM requesting continuation of the improvement initiatives and the involvement of the EM SSAB in achieving a successful DOE EM site cleanup. This letter will be signed at the March Chairs meeting if approved by the Board.

Manson made the motion to authorize the co-chairs to sign the EM-1 letter. **Halstead** seconded. **Motion passed.**

- **The co-chairs received authorization to sign the EM-1 Letter.**

Public Comment Period

Sea, Southern Ohio Neighbors Group and Sargent's Station Historic Preservation Project requested the DOE hold a conference to bring in archeologists, historians, owners of historic properties and tribal organizations to discuss the historic preservation of the eligible sensitive areas on the DOE site. Information and photographs were provided to the board (Attachment 3). He stated that if the DOE goes on with their own historic preservation plans without consulting with archeologists, historians, tribal organizations and historic property owners, the DOE would be in violation of the National Historic Preservation Act and legal action would be taken. Sea mentioned the Hopewell Earthworks are on the plant site and stated that the transfer of the 340 acres from DOE to SODI cannot happen until there is archeological review of what may be on those 340 acres. Sea added that the 340 acres are part of the historical site that is protected by national preservation law.

Fearing said she had spoke with a DOE representative about the United States Enrichment Corporation's (USEC) relicensing and that USEC could license again for 30 years following the centrifuge and requested to see that topic addressed in a future meeting. She appreciates that the board is working really hard for jobs and cleanup but is still concerned about the definition of Energy Parks. She was glad to hear that anyone can serve on a committee. She wishes that there were more public interaction at these meetings to have more question/answer periods.

Manuta, Manuta Chemical Consulting, addressed the Board's earlier discussion on interim storage and not having, under any circumstances, interim waste here. As clean up happens, there may be parts of the site that cannot be cleaned up to public use levels to the point where a business can operate. It is hard to say how much of this site can be cleaned up to public use standards. If there is a relatively small footprint at this site, then no matter what is done, it may come to the point that it is an advantage to the overall mission to become an interim site. Manuta stated that these are not all or nothing propositions, and he advised the committee to be aware of that.

Colley, Portsmouth/Piketon Residents for Environmental Safety and Security and National Nuclear Workers for Justice said that for over 20 years her organizations have been reviewing documents. She said they do not want to store low level waste here and don't want any part of a storage facility here at this site. Her organizations want to push for cleanup and cleanup means jobs. The community needs water and land cleaned up to become healthy again. Colley is concerned about the DOE Midwest Compact. She asked DOE to please clean up this plant for this community. She said that in Atlanta, a hearing was held with regard to the illegal transportation of a cylinder on plant site.

O'Neill thought it was unfair to expect people to sit for an hour and 45 minutes and then have an opportunity to speak. He thought it makes much more sense to have a period early and a short period at the end for anything that came up in the meantime that people would like to address. If the Board is really concerned about public participation and engendering trust within the community, this change should be made. He asked that the SSAB and the DOE continue to advocate for adequate funding for accelerated cleanup. This acceleration would be a job stimulus such as the cleanup at Fernald which benefited the workers and the community there.

Boutis said she supports the work done to keep the interim storage for SNF off the site. She thinks it's crucial to the future development, which follows onto the accelerated D&D for the site and believed that is where the community will get jobs for this site. She was pleased to see historic preservation on the top three lists of priorities and pointed out that Piketon has modern history here with the Cold War history. The X-330, X-300 and X-326 have historic significance and it's important that it is recognized. She stated that the American Nuclear Society has recognized these buildings. She asked the DOE to look at the Cold War history here before buildings are torn down.

Huber said she was encouraged to see accelerated cleanup and historic preservation make the top three issues list. She strongly supports the interim spent nuclear fuel recommendation and would like to see that passed.

Final Comments

The board inquired if the OEPA was also testing the plume or if it was just LATA/Parallax conducting the testing and monitoring. The OEPA stated that the data is collected by LATA but confirmed that the plume is receding. The board inquired if the OEPA has done their own testing. The OEPA stated that their testing would be conducted in March.

Adjourn

Minter made the motion to adjourn the meeting. Motion was seconded. ***Motion passed.***

- ***Meeting Adjourned.***

The next meeting is scheduled for Thursday, March 5, 2009, at 6 p.m.